REMARKS

Applicant hereby responds to the Office Action date 8 March 2005.

Elections/Restrictions

As previously discussed in a telephone conversation between the Examiner and Joseph Kromholz on 24 February 2005, Applicant elects to prosecute claims 1-14 of this application. Claims 15-21 are withdraw from consideration.

Claim Rejections 35 U.S.C. § 102

Claims 1-4, 7-11 and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Taylor, U.S. Pat. No. 3,947,896. Applicant has amended claims 1 and 9 to state that the "first piece of fabric" is a "bra". Claims 2-4, 7-9, 10-11, and 14 depend from claims 1 and 9. Taylor does not show such an arrangement and does not anticipate the amended claims. Furthermore, as stated in claim 1, the system has a channel, said channel formed by said strip of flexible material and said second piece of fabric, said bra secured within said channel." Taylor does not secure a first piece of fabric within the channel as noted by the Examiner. While a channel may be shown in Taylor, the channel does not provide an area for the first piece of fabric to be secured to the second piece of fabric. Rather the first and second pieces of fabric are secured on the outsides of the securing device, which is a double-faced adhesive device. Applicant believes the claims, as currently presented are not anticipated by Taylor, and allowance is respectfully requested.

Claims Objections 35 U.S.C. § 103

Claims 5, 12, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Taylor in view of Huang, U.S. Pat. No. 5,502,278. Claims 5 and 13 have been cancelled and claim 12 has been amended. Claim 5 has been incorporated into claim1 and claims 12 has been partially incorporated into claim 9. Huang does not include any type of adhesive material, but relies on the use of a Velcro® or hook-and-loop type material. Such a material is not practical for the present purpose, since one part of the Velcro® material would have to be inserted or attached in some manner to the shirt or second piece of fabric. There is no suggestion or teaching to use an adhesive material for securing purposes as recited in the present invention, and it would not have been obvious to combine Huang with Taylor. As previously discussed, Taylor does not include a channel that secures the bra strap within the channel. The combination of the two further lacks the
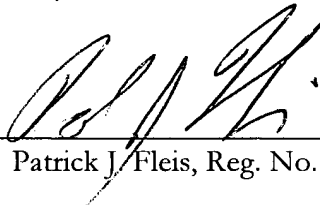
necessary teaching or suggestion to obviate the present claims. Applicant believes the presented claims contain patentable subject matter, and allowance is requested.

As further evidence that the present invention is not obvious, two separate market studies were conducted by Vanity Fair, Corp., an independent third party. The summaries of the reports are presented in Appendixes A and B. Of note, 86% of the women who took part in the study faced the problem that the present invention is directed towards solving. Of those, 98% said the present invention corrected the problem. (see Appendix A). In Appendix B, the present invention is stated as addressing a problem that "[t]o date, there is no effective resolution that solves this problem." (see the first paragraph). Further comments to the usefulness and novelty of the present invention can be found under heading F in Appendix B. The unexpected and beneficial results and commercial successes shown in the studies are strong evidence that the president invention is non-obvious. *See* MPEP § 716.01. A Declaration stating that the information is believed to be true is included.

The claims, as currently present, are believed to contain novel, non-obvious subject matter, and allowance of amended claims 1, 9, and 12 and original claims 2-4, 6-8, 10-11, and 14 is requested. No new matter has been added with this amendment.

Respectfully Submitted,

By_____

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MITCHELL/9538.18395-PROV FOR/050608 AMENDMENT A

Enclosures: Amendment Transmittal Letter
               Appendix A
               Appendix B
               Declaration
               Return Postcard